

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - N/S Tidewood Road, 59' NW of the c/l of Kittendale Road (Carrollwood Manor, Section 2) 15th Election District 5th Councilmanic District Washington Homes, Inc. Petitioner

\* BEFORE THE \* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY \* Case No. 92-474-SPHA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance filed by the Legal Owner of the subject property, Washington Homes, Inc., by and through its attorney, Richard B. Talkin, Esquire, in which the Petitioner requests approval of a seventh amendment to the Final Development Plan for Lots 55 through 68 of Carrollwood Manor, Section 2, and a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way of 13 feet in lieu of the required 25 feet, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Richard B. Talkin, Esquire, and Dwight Little, Registered Professional Engineer with W. Duvall & Associates, Inc. There were no Protestants.

Testimony indicated that the subject property consists of 0.8010 acres, more or less, zoned D.R. 16 and is part of Carrollwood Manor, Section 2, which is proposed for development with single family townhouse dwelling units. Dwight Little testified that the Petitioner filed the instant Petitions as a result of a 10-foot drainage and utility easement located to the rear of the subject property which has caused the proposed

MICROFILMED

wellings to be closer to the street. Testimony indicated that the proposed amendment received Planning Board approval and that the relief requested will be in compliance with the new C.M.D.P. regulations. Further testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare to the surrounding community.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

MICROFILMED

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of July, 1992 that the Petition for Special Hearing requesting approval of a seventh amendment to the Final Development Plan for Lots 55 through 68 of Carrollwood Manor, Section 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way of 13

feet in lieu of the required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 7/27/92  
By [Signature]

MICROFILMED

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



(410) 887-4386

July 27, 1992

Richard B. Talkin, Esquire  
9175 Guilford Road, Suite 301  
Columbia, Maryland 21046

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE  
N/S Tidewood Road, 59' NW of the c/l of Kittendale Road  
(Carrollwood Manor, Section 2)  
15th Election District - 5th Councilmanic District  
Washington Homes, Inc. - Petitioner  
Case No. 92-474-SPHA

Dear Mr. Talkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*Timothy M. Kotroco*

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Dwight Little

W. Duvall & Associates, 530 E. Joppa Rd., Towson, Md. 21286

People's Counsel

File

MICROFILMED

## Petition for Variance

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 504 (B.C.Z.R.) & V.B.6.a (C.M.D.P.) to permit a 13' window to street R/W in lieu of 25' and

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To Be Discussed at Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Engineers:

W. Duvall & Associates, Inc.

(Type or Print Name)

*Richard B. Talkin*

Signature

530 East Joppa Road

Towson, Maryland 21204

City and State

Attorney for Petitioner:

Richard B. Talkin, P.A.

(Type or Print Name)

*Richard B. Talkin*

Signature

Suite 301 - 9175 Guilford Road

Columbia, Maryland 21046

City and State

Attorney's Telephone No.: 206-3004

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Legal Owner(s):

Robert A. Vestman, Senior Vice President

(Type or Print Name)

*Robert A. Vestman*

Signature

(Type or Print Name)

Signature

Washington Homes, Inc.

Suite 201

9175 Guilford Road 880-6294

Columbia, Maryland 21046

City and State

Name, address and phone number of legal owner, owner's partner or representative to be contacted

Robert A. Vestman, Senior Vice President

9175 Guilford Road, Suite 201

Columbia, Maryland 21046

City and State

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2 HR. ( ) 1 HR. ( ) 2 HR. ( ) 3 HR. ( ) 4 HR. ( ) 5 HR. ( ) 6 HR. ( ) 7 HR. ( ) 8 HR. ( ) 9 HR. ( ) 10 HR. ( ) 11 HR. ( ) 12 HR. ( ) 13 HR. ( ) 14 HR. ( ) 15 HR. ( ) 16 HR. ( ) 17 HR. ( ) 18 HR. ( ) 19 HR. ( ) 20 HR. ( ) 21 HR. ( ) 22 HR. ( ) 23 HR. ( ) 24 HR. ( ) 25 HR. ( ) 26 HR. ( ) 27 HR. ( ) 28 HR. ( ) 29 HR. ( ) 30 HR. ( ) 31 HR. ( ) 32 HR. ( ) 33 HR. ( ) 34 HR. ( ) 35 HR. ( ) 36 HR. ( ) 37 HR. ( ) 38 HR. ( ) 39 HR. ( ) 40 HR. ( ) 41 HR. ( ) 42 HR. ( ) 43 HR. ( ) 44 HR. ( ) 45 HR. ( ) 46 HR. ( ) 47 HR. ( ) 48 HR. ( ) 49 HR. ( ) 50 HR. ( ) 51 HR. ( ) 52 HR. ( ) 53 HR. ( ) 54 HR. ( ) 55 HR. ( ) 56 HR. ( ) 57 HR. ( ) 58 HR. ( ) 59 HR. ( ) 60 HR. ( ) 61 HR. ( ) 62 HR. ( ) 63 HR. ( ) 64 HR. ( ) 65 HR. ( ) 66 HR. ( ) 67 HR. ( ) 68 HR. ( ) 69 HR. ( ) 70 HR. ( ) 71 HR. ( ) 72 HR. ( ) 73 HR. ( ) 74 HR. ( ) 75 HR. ( ) 76 HR. ( ) 77 HR. ( ) 78 HR. ( ) 79 HR. ( ) 80 HR. ( ) 81 HR. ( ) 82 HR. ( ) 83 HR. ( ) 84 HR. ( ) 85 HR. ( ) 86 HR. ( ) 87 HR. ( ) 88 HR. ( ) 89 HR. ( ) 90 HR. ( ) 91 HR. ( ) 92 HR. ( ) 93 HR. ( ) 94 HR. ( ) 95 HR. ( ) 96 HR. ( ) 97 HR. ( ) 98 HR. ( ) 99 HR. ( ) 100 HR. ( ) 101 HR. ( ) 102 HR. ( ) 103 HR. ( ) 104 HR. ( ) 105 HR. ( ) 106 HR. ( ) 107 HR. ( ) 108 HR. ( ) 109 HR. ( ) 110 HR. ( ) 111 HR. ( ) 112 HR. ( ) 113 HR. ( ) 114 HR. ( ) 115 HR. ( ) 116 HR. ( ) 117 HR. ( ) 118 HR. ( ) 119 HR. ( ) 120 HR. ( ) 121 HR. ( ) 122 HR. ( ) 123 HR. ( ) 124 HR. ( ) 125 HR. ( ) 126 HR. ( ) 127 HR. ( ) 128 HR. ( ) 129 HR. ( ) 130 HR. ( ) 131 HR. ( ) 132 HR. ( ) 133 HR. ( ) 134 HR. ( ) 135 HR. ( ) 136 HR. ( ) 137 HR. ( ) 138 HR. ( ) 139 HR. ( ) 140 HR. ( ) 141 HR. ( ) 142 HR. ( ) 143 HR. ( ) 144 HR. ( ) 145 HR. ( ) 146 HR. ( ) 147 HR. ( ) 148 HR. ( ) 149 HR. ( ) 150 HR. ( ) 151 HR. ( ) 152 HR. ( ) 153 HR. ( ) 154 HR. ( ) 155 HR. ( ) 156 HR. ( ) 157 HR. ( ) 158 HR. ( ) 159 HR. ( ) 160 HR. ( ) 161 HR. ( ) 162 HR. ( ) 163 HR. ( ) 164 HR. ( ) 165 HR. ( ) 166 HR. ( ) 167 HR. ( ) 168 HR. ( ) 169 HR. ( ) 170 HR. ( ) 171 HR. ( ) 172 HR. ( ) 173 HR. ( ) 174 HR. ( ) 175 HR. ( ) 176 HR. ( ) 177 HR. ( ) 178 HR. ( ) 179 HR. ( ) 180 HR. ( ) 181 HR. ( ) 182 HR. ( ) 183 HR. ( ) 184 HR. ( ) 185 HR. ( ) 186 HR. ( ) 187 HR. ( ) 188 HR. ( ) 189 HR. ( ) 190 HR. ( ) 191 HR. ( ) 192 HR. ( ) 193 HR. ( ) 194 HR. ( ) 195 HR. ( ) 196 HR. ( ) 197 HR. ( ) 198 HR. ( ) 199 HR. ( ) 200 HR. ( ) 201 HR. ( ) 202 HR. ( ) 203 HR. ( ) 204 HR. ( ) 205 HR. ( ) 206 HR. ( ) 207 HR. ( ) 208 HR. ( ) 209 HR. ( ) 210 HR. ( ) 211 HR. ( ) 212 HR. ( ) 213 HR. ( ) 214 HR. ( ) 215 HR. ( ) 216 HR. ( ) 217 HR. ( ) 218 HR. ( ) 219 HR. ( ) 220 HR. ( ) 221 HR. ( ) 222 HR. ( ) 223 HR. ( ) 224 HR. ( ) 225 HR. ( ) 226 HR. ( ) 227 HR. ( ) 228 HR. ( ) 229 HR. ( ) 230 HR. ( ) 231 HR. ( ) 232 HR. ( ) 233 HR. ( ) 234 HR. ( ) 235 HR. ( ) 236 HR. ( ) 237 HR. ( ) 238 HR. ( ) 239 HR. ( ) 240 HR. ( ) 241 HR. ( ) 242 HR. ( ) 243 HR. ( ) 244 HR. ( ) 245 HR. ( ) 246 HR. ( ) 247 HR. ( ) 248 HR. ( ) 249 HR. ( ) 250 HR. ( ) 251 HR. ( ) 252 HR. ( ) 253 HR. ( ) 254 HR. ( ) 255 HR. ( ) 256 HR. ( ) 257 HR. ( ) 258 HR. ( ) 259 HR. ( ) 260 HR. ( ) 261 HR. ( ) 262 HR. ( ) 263 HR. ( ) 264 HR. ( ) 265 HR. ( ) 266 HR. ( ) 267 HR. ( ) 268 HR. ( ) 269 HR. ( ) 270 HR. ( ) 271 HR. ( ) 272 HR. ( ) 273 HR. ( ) 274 HR. ( ) 275 HR. ( ) 276 HR. ( ) 277 HR. ( ) 278 HR. ( ) 279 HR. ( ) 280 HR. ( ) 281 HR. ( ) 282 HR. ( ) 283 HR. ( ) 284 HR. ( ) 285 HR. ( ) 286 HR. ( ) 287 HR. ( ) 288 HR. ( ) 289 HR. ( ) 290 HR. ( ) 291 HR. ( ) 292 HR. ( ) 293 HR. ( ) 294 HR. ( ) 295 HR. ( ) 296 HR. ( ) 297 HR. ( ) 298 HR. ( ) 299 HR. ( ) 300 HR. ( ) 301 HR. ( ) 302 HR. ( ) 303 HR. ( ) 304 HR. ( ) 305 HR. ( ) 306 HR. ( ) 307 HR. ( ) 308 HR. ( ) 309 HR. ( ) 310 HR. ( ) 311 HR. ( ) 312 HR. ( ) 313 HR. ( ) 314 HR. ( ) 315 HR. ( ) 316 HR. ( ) 317 HR. ( ) 318 HR. ( ) 319 HR. ( ) 320 HR. ( ) 321 HR. ( ) 322 HR. ( ) 323 HR. ( ) 324 HR. ( ) 325 HR. ( ) 326 HR. ( ) 327 HR. ( ) 328 HR. ( ) 329 HR. ( ) 330 HR. ( ) 331 HR. ( ) 332 HR. ( ) 333 HR. ( ) 334 HR. ( ) 335 HR. ( ) 336 HR. ( ) 337 HR. ( ) 338 HR. ( ) 339 HR. ( ) 340 HR. ( ) 341 HR. ( ) 342 HR. ( ) 343 HR. ( ) 344 HR. ( ) 345 HR. ( ) 346 HR. ( ) 347 HR. ( ) 348 HR. ( ) 349 HR. ( ) 350 HR. ( ) 351 HR. ( ) 352 HR. ( ) 353 HR. ( ) 354 HR. ( ) 355 HR. ( ) 356 HR. ( ) 357 HR. ( ) 358 HR. ( ) 359 HR. ( ) 360 HR. ( ) 361 HR. ( ) 362 HR. ( ) 363 HR. ( ) 364 HR. ( ) 365 HR. ( ) 366 HR. ( ) 367 HR. ( ) 368 HR. ( ) 369 HR. ( ) 370 HR. ( ) 371 HR. ( ) 372 HR. ( ) 373 HR. ( ) 374 HR. ( ) 375 HR. ( ) 376 HR. ( ) 377 HR. ( ) 378 HR. ( ) 379 HR. ( ) 380 HR. ( ) 381 HR. ( ) 382 HR. ( ) 383 HR. ( ) 384 HR. ( ) 385 HR. ( ) 386 HR. ( ) 387 HR. ( ) 388 HR. ( ) 389 HR. ( ) 390 HR. ( ) 391 HR. ( ) 392 HR. ( ) 393 HR. ( ) 394 HR. ( ) 395 HR. ( ) 396 HR. ( ) 397 HR. ( ) 398 HR. ( ) 399 HR. ( ) 400 HR. ( ) 401 HR. ( ) 402 HR. ( ) 403 HR. ( ) 404 HR. ( ) 405 HR. ( ) 406 HR. ( ) 407 HR. ( ) 408 HR. ( ) 409 HR. ( ) 410 HR. ( ) 411 HR. ( ) 412 HR. ( ) 413 HR. ( ) 414 HR. ( ) 415 HR. ( ) 416 HR. ( ) 417 HR. ( ) 418 HR. ( ) 419 HR. ( ) 420 HR. ( ) 421 HR. ( ) 422 HR. ( ) 423 HR. ( ) 424 HR. ( ) 425 HR. ( ) 426 HR. ( ) 427 HR. ( ) 428 HR. ( ) 429 HR. ( ) 430 HR. ( ) 431 HR. ( ) 432 HR. ( ) 433 HR. ( ) 434 HR. ( ) 435 HR. ( ) 436 HR. ( ) 437 HR. ( ) 438 HR. ( ) 439 HR. ( ) 440 HR. ( ) 441 HR. ( ) 442 HR. ( ) 443 HR. ( ) 444 HR. ( ) 445 HR. ( ) 446 HR. ( ) 447 HR. ( ) 448 HR. ( ) 449 HR. ( ) 450 HR. ( ) 451 HR. ( ) 452 HR. ( ) 453 HR. ( ) 454 HR. ( ) 455 HR. ( ) 456 HR. ( ) 457 HR. ( ) 458 HR. ( ) 459 HR. ( ) 460 HR. ( ) 461 HR. ( ) 462 HR. ( ) 463 HR. ( ) 464 HR. ( ) 465 HR. ( ) 466 HR. ( ) 467 HR. ( ) 468 HR. ( ) 469 HR. ( ) 470 HR. ( ) 471 HR. ( ) 472 HR. ( ) 473 HR. ( ) 474 HR. ( ) 475 HR. ( ) 476 HR. ( ) 477 HR. ( ) 478 HR. ( ) 479 HR. ( ) 480 HR. ( ) 481 HR. ( ) 482 HR. ( ) 483 HR. ( ) 484 HR. ( ) 485 HR. ( ) 486 HR. ( ) 487 HR. ( ) 488 HR. ( ) 489 HR. ( ) 490 HR. ( ) 491 HR. ( ) 492 HR. ( ) 493 HR. ( ) 494 HR. ( ) 495 HR. ( ) 496 HR. ( ) 497 HR. ( ) 498 HR. ( ) 499 HR. ( ) 500 HR. ( ) 501 HR. ( ) 502 HR. ( ) 503 HR. ( ) 504 HR. ( ) 505 HR. ( ) 506 HR. ( ) 507 HR. ( ) 508 HR. ( ) 509 HR. ( ) 510 HR. ( ) 511 HR. ( ) 512 HR. ( ) 513 HR. ( ) 514 HR. ( ) 515 HR. ( ) 516 HR. ( ) 517 HR. ( ) 518 HR. ( ) 519 HR. ( ) 520 HR. ( ) 521 HR. ( ) 522 HR. ( ) 523 HR. ( ) 524 HR. ( ) 525 HR. ( ) 526 HR. ( ) 527 HR. ( ) 528 HR. ( ) 529 HR. ( ) 530 HR. ( ) 531 HR. ( ) 532 HR. ( ) 533 HR. ( ) 534 HR. ( ) 535 HR. ( ) 536 HR. ( ) 537 HR. ( ) 538 HR. ( ) 539 HR. ( ) 540 HR. ( ) 541 HR. ( ) 542 HR. ( ) 543 HR. ( ) 544 HR. ( ) 545 HR. ( ) 546 HR. ( ) 547 HR. ( ) 548 HR. ( ) 549 HR. ( ) 550 HR. ( ) 551 HR. ( ) 552 HR. ( ) 553 HR. ( ) 554 HR. ( ) 555 HR. ( ) 556 HR. ( ) 557 HR. ( ) 558 HR. ( ) 559 HR. ( ) 560 HR. ( ) 561 HR. ( ) 562 HR. ( ) 563 HR. ( ) 564 HR. ( ) 565 HR. ( ) 566 HR. ( ) 567 HR. ( ) 568 HR. ( ) 569 HR. ( ) 570 HR. ( ) 571 HR. ( ) 572 HR. ( ) 573 HR. ( ) 574 HR. ( ) 575 HR. ( ) 576 HR. ( ) 577 HR. ( ) 578 HR. ( ) 579 HR. ( ) 580 HR. ( ) 581 HR. ( ) 582 HR. ( ) 583 HR. ( ) 584 HR. ( ) 585 HR. ( ) 586 HR. ( ) 587 HR. ( ) 588 HR. ( ) 589 HR. ( ) 590 HR. ( ) 591 HR. ( ) 592 HR. ( ) 593 HR. ( ) 594 HR. ( ) 595 HR. ( ) 596 HR. ( ) 597 HR. ( ) 598 HR. ( ) 599 HR. ( ) 600 HR. ( ) 601 HR. ( ) 602 HR. ( ) 603 HR. ( ) 604 HR. ( ) 605 HR. ( ) 606 HR. ( ) 607 HR. ( ) 608 HR. ( ) 609 HR. ( ) 610 HR. ( ) 611 HR. ( ) 612 HR. ( ) 613 HR. ( ) 614 HR. ( ) 615 HR. ( ) 616 HR. ( ) 617 HR. ( ) 618 HR. ( ) 619 HR. ( ) 620 HR. ( ) 621 HR. ( ) 622 HR. ( ) 623 HR. ( ) 624 HR. ( ) 625 HR. ( ) 626 HR. ( ) 627 HR. ( ) 628 HR. ( ) 629 HR. ( ) 630 HR. ( ) 631 HR. ( ) 632 HR. ( ) 633 HR. ( ) 634 HR. ( ) 635 HR. ( ) 636 HR. ( ) 637 HR. ( ) 638 HR. ( ) 639 HR. ( ) 640 HR. ( ) 641 HR. ( ) 642 HR. ( ) 643 HR. ( ) 644 HR. ( ) 645 HR. ( ) 646 HR. ( ) 647 HR. ( ) 648 HR. ( ) 649 HR. ( ) 650 HR. ( ) 651 HR. ( ) 652 HR. ( ) 653 HR. ( ) 654 HR. ( ) 655 HR. ( ) 656 HR. ( ) 657 HR. ( ) 658 HR. ( ) 659 HR. ( ) 660 HR. ( ) 661 HR. ( ) 662 HR. ( ) 663 HR. ( ) 664 HR. ( ) 665 HR. ( ) 666 HR. ( ) 667 HR. ( ) 668 HR. ( ) 669 HR. ( ) 670 HR. ( ) 671 HR. ( ) 672 HR. ( ) 673 HR. ( ) 674 HR. ( ) 675 HR. ( ) 676 HR. ( ) 677 HR. ( ) 678 HR. ( ) 679 HR. ( ) 680 HR. ( ) 681 HR. ( ) 682 HR. ( ) 683 HR. ( ) 684 HR. ( ) 685 HR. ( ) 686 HR. ( ) 687 HR. ( ) 688 HR. ( ) 689 HR. ( ) 690 HR. ( ) 691 HR. ( ) 692 HR. ( ) 693 HR. ( ) 694 HR. ( ) 695 HR. ( ) 696 HR. ( ) 697 HR. ( ) 698 HR. ( ) 699 HR. ( ) 700 HR. ( ) 701 HR. ( ) 702 HR. ( ) 703 HR. ( ) 704 HR. ( ) 705 HR. ( ) 706 HR. ( ) 707 HR. ( ) 708 HR. ( ) 709 HR. ( ) 710 HR. ( ) 711 HR. ( ) 712 HR. ( ) 713 HR. ( ) 714 HR. ( ) 715 HR. ( ) 716 HR. ( ) 717 HR. ( ) 718 HR. ( ) 719 HR. ( ) 720 HR. ( ) 721 HR. ( ) 722 HR. ( ) 723 HR. ( ) 724 HR. ( ) 725 HR. ( ) 726 HR. ( ) 727 HR. ( ) 728 HR. ( ) 729 HR. ( ) 730 HR. ( ) 731 HR. ( ) 732 HR. ( ) 733 HR. ( ) 734 HR. ( ) 735 HR. ( ) 736 HR. ( ) 737 HR. ( ) 738 HR. ( ) 739 HR. ( ) 740 HR. ( ) 741 HR. ( ) 742 HR. ( ) 743 HR. ( ) 744 HR. ( ) 745 HR. ( ) 746 HR. ( ) 747 HR. ( ) 748 HR. ( ) 749 HR. ( ) 750 HR. ( ) 751 HR. ( ) 752 HR. ( ) 753 HR. ( ) 754 HR. ( ) 755 HR. ( ) 756 HR. ( ) 757 HR. ( ) 758 HR. ( ) 759 HR. ( ) 760 HR. ( ) 761 HR. ( ) 762 HR. ( ) 763 HR. ( ) 764 HR. ( ) 765 HR. ( ) 766 HR. ( ) 767 HR. ( ) 768 HR. ( ) 769 HR. ( ) 770 HR. ( ) 771 HR. ( ) 772 HR. ( ) 773 HR. ( ) 774 HR. ( ) 775 HR. ( ) 776 HR. ( ) 777 HR. ( ) 778 HR. ( ) 779 HR. ( ) 780 HR. ( ) 781 HR. ( ) 782 HR. ( ) 783 HR. ( ) 784 HR. ( ) 785 HR. ( ) 786 HR. ( ) 787 HR. ( ) 788 HR. ( ) 789 HR. ( ) 790 HR. ( ) 791 HR. ( ) 792 HR. ( ) 793 HR. ( ) 794 HR. ( ) 795 HR. ( ) 796 HR. ( ) 797 HR. ( ) 798 HR. ( ) 799 HR. ( ) 800 HR. ( ) 801 HR. ( ) 802 HR. ( ) 803 HR. ( ) 804 HR. ( ) 805 HR. ( ) 806 HR. ( ) 807 HR. ( ) 808 HR. ( ) 809 HR. ( ) 810 HR. ( ) 811 HR. ( ) 812 HR. ( ) 813 HR. ( ) 814 HR. ( ) 815 HR. ( ) 816 HR. ( ) 817 HR. ( ) 818 HR. ( ) 819 HR. ( ) 820 HR. ( ) 821 HR. ( ) 822 HR. ( ) 823 HR. ( ) 824 HR. ( ) 825 HR. ( ) 826 HR. ( ) 827 HR. ( ) 828 HR. ( ) 829 HR. ( ) 830 HR. ( ) 831 HR. ( ) 832 HR. ( ) 833 HR. ( ) 834 HR. ( ) 835 HR. ( ) 836 HR. ( ) 837 HR. ( ) 838 HR. ( ) 839 HR. ( ) 840 HR. ( ) 841 HR. ( ) 842 HR. ( ) 843 HR. ( ) 844 HR. ( ) 845 HR. ( ) 846 HR. ( ) 847 HR. ( ) 848 HR. ( ) 849 HR. ( ) 850 HR. ( ) 851 HR. ( ) 852 HR. ( ) 853 HR. ( ) 854 HR. ( ) 855 HR. ( ) 856 HR. ( ) 857 HR. ( ) 858 HR. ( ) 859 HR. ( ) 860 HR. ( ) 861 HR. ( ) 862 HR. ( ) 863 HR. ( ) 864 HR. ( ) 865 HR. ( ) 866 HR. ( ) 867 HR. ( ) 868 HR. ( ) 869 HR. ( ) 870 HR. ( ) 871 HR. ( ) 872 HR. ( ) 873 HR. ( ) 874 HR. ( ) 875 HR. ( ) 876 HR. ( ) 877 HR. ( ) 878 HR. ( ) 879 HR. ( ) 880 HR. ( ) 881 HR. ( ) 882 HR. ( ) 883 HR. ( ) 884 HR. ( ) 885 HR. ( ) 886 HR. ( ) 887 HR. ( ) 888 HR. ( ) 889 HR. ( ) 890 HR. ( ) 891 HR. ( ) 892 HR. ( ) 893 HR. ( ) 894 HR. ( ) 895 HR. ( ) 896 HR. ( ) 897 HR. ( ) 898 HR. ( ) 899 HR. ( ) 900 HR. ( ) 901 HR. ( ) 902 HR. ( ) 903 HR. ( ) 904 HR. ( ) 905 HR. ( ) 906 HR. ( ) 907 HR. ( ) 908 HR. ( ) 909 HR. ( ) 910 HR. ( ) 911 HR. ( ) 912 HR. ( ) 913 HR. ( ) 914 HR. ( ) 915 HR. ( ) 916 HR. ( ) 917 HR. ( ) 918 HR. ( ) 919 HR. ( ) 920 HR. ( ) 921 HR. ( ) 922 HR. ( ) 923 HR. ( ) 924 HR. ( ) 925 HR. ( ) 926 HR. ( ) 927 HR. ( ) 928 HR. ( ) 92

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R 001-6150  
Number

92-474-S-PH

0460480102NICHRC  
PA C009146AM04-02-92  
Please Make Checks Payable To: Baltimore County

\$650.00

Cashier Validation

MICROFILMED

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date

92-474

Account: R 001-6150  
Number

92-474

0460480102NICHRC  
PA C009146AM04-02-92  
Please Make Checks Payable To: Baltimore County

\$98.16

Cashier Validation

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 6/29/92

Washington Homes, Inc.  
9175 Guilford Road, #201  
Columbia, Maryland 21046

RE:  
CASE NUMBER: 92-474-S-PH (Item 504)  
N/S Tidewood Road, 59' W of c/l Kittendale Road  
Carrollwood Manor, Section Two  
15th Election District - 5th Councilmanic  
Petitioner(s): Washington Homes, Inc.  
HEARING: MONDAY, JULY 20, 1992 at 11:00 a.m. in Rm. 118, Courthouse.

Dear Petitioner(s):

Please be advised that \$78.16 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON  
DIRECTOR

cc: Richard B. Talkin, P.A.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

JUNE 12, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-474-S-PH (Item 504)  
N/S Tidewood Road, 59' W of c/l Kittendale Road  
Carrollwood Manor, Section Two  
15th Election District - 5th Councilmanic  
Petitioner(s): Washington Homes, Inc.  
HEARING: MONDAY, JULY 20, 1992 at 11:00 a.m. in Rm. 118, Courthouse.

Special Hearing to approve the seventh amended Final Development Plan for lots 55 through 68 of Carrollwood Manor, Section 2.  
Variance to permit a 13 foot window to street right-of-way in lieu of 75 ft.

Lawrence E. Schmidt  
Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Washington Homes, Inc.  
W. Duvall & Associates  
Richard B. Talkin, P.A.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

July 6, 1992

(410) 887-3353

Richard B. Talkin, Esquire  
Suite 301, 9175 Guilford Road  
Columbia, MD 21046

RE: Item No. 504, Case No. 92-474-S-PH  
Petitioner: Washington Homes, et al  
Petition for Variance and Special Hearing

Dear Mr. Talkin:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 2nd day of June, 1992

ARNOLD JABLON  
DIRECTOR

Received By:  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Washington Homes, Inc., et al  
Petitioner's Attorney: Richard B. Talkin

MICROFILMED

6/22/92 6777-92  
TO DR

Development Review Committee Response Form  
Authorized signature: *Donna A. Kennedy* Date: 6/22/92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
Waiver Number: EON DED  
Zoning Issue: TE (Waiting for developer to submit plans first)  
Meeting Date: 6-1-92

COUNT 1

✓	Washington Homes, Inc.	6-15-92	NC
✓	Aurelia Loveman For Joseph H. Loveman	505	NC
✓	Timothy W. And Carol Anne M. Frost	506	Comment
✓	James B. And Brenda G. Thomas	507	Comment
✓	James E. Bishop, Sr.	508	NC
✓	Victor E. And Sandra J. Fiorenza	509	Comment
✓	Lena Guise	510	NC

COUNT 7

FINAL TOTALS  
COUNT 8

\*\*\* END OF REPORT \*\*\*

MICROFILMED

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING  
New Courts Building  
401 Bosley Avenue  
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section  
Office of Planning and Zoning

DATE: June 17, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 15, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Robert A. Yeatsman	- Item 504
Joseph & Aurelia Loveman	- Item 505
Timothy & Carol Ann Frost	- Item 506
James & Brenda Thomas	- Item 507
Victor & Sandra Fiorenza	- Item 509

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

RECEIVED  
JUN 23 1992  
ZONING OFFICE

6-15-92.txt  
Petition.txt

MICROFILMED

Development Review Committee Response Form  
Authorized signature: *Rachel J. Family* Date: 6/22/92

Project Name: Stonegate at Patapsco (Aerial Property)  
File Number: 90476  
Waiver Number: EON DED  
Zoning Issue: TE (Waiting for developer to submit plans first)  
Meeting Date: 6-1-92

COUNT 1

✓	Washington Homes, Inc.	6-15-92	NC
✓	Aurelia Loveman For Joseph H. Loveman	505	NC
✓	Timothy W. And Carol Anne M. Frost	506	NC
✓	James B. And Brenda G. Thomas	507	NC
✓	James E. Bishop, Sr.	508	NC
✓	Victor E. And Sandra J. Fiorenza	509	NC
✓	Lena Guise	510	NC

COUNT 7

Howard W. Dawson, Sr.  
TE  
503  
N/C  
6-15-92

COUNT 1

FINAL TOTALS  
COUNT 9

MICROFILMED



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(410) 887-4500

JUNE 12, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: WASHINGTON HOMES, INC.

Location: CARROLLWOOD MANOR, SECTION TWO

Item No.: 504 (MJK) Zoning Agenda: JUNE 15, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

\* HYDRANT SPACING SHALL BE AT 750' INTERVALS.

REVIEWER: Not Jerry P. P. Noted and  
Planning Group Approved Fire Prevention Bureau  
Special Inspection Division

JP/REK

RECEIVED  
JUN 15 1992

ZONING OFFICE

MICROFILMED

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature

W. D. P. K. Date 6/23/92

Project Name: Washington Homes, Inc.  
File Number: 504  
Waiver Number: 504  
Zoning Issue: 504  
Meeting Date: 6-15-92

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

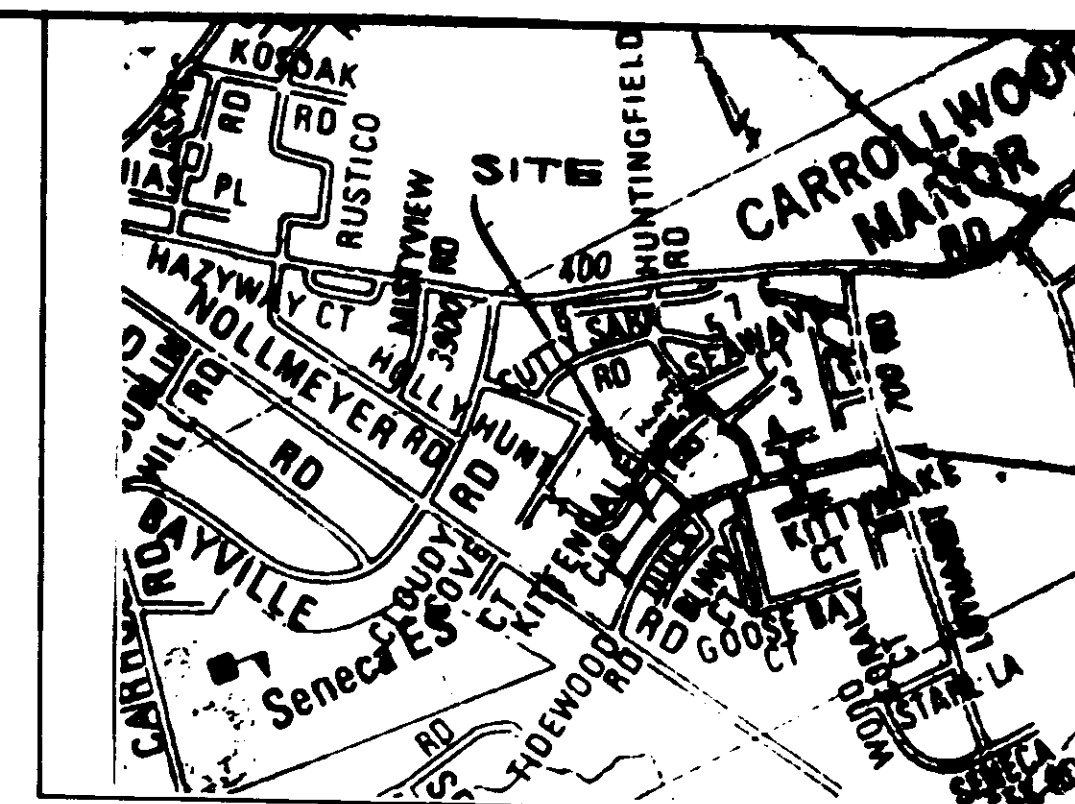
DED DEPRM RP STP TE: No Comments ✓

MICROFILMED

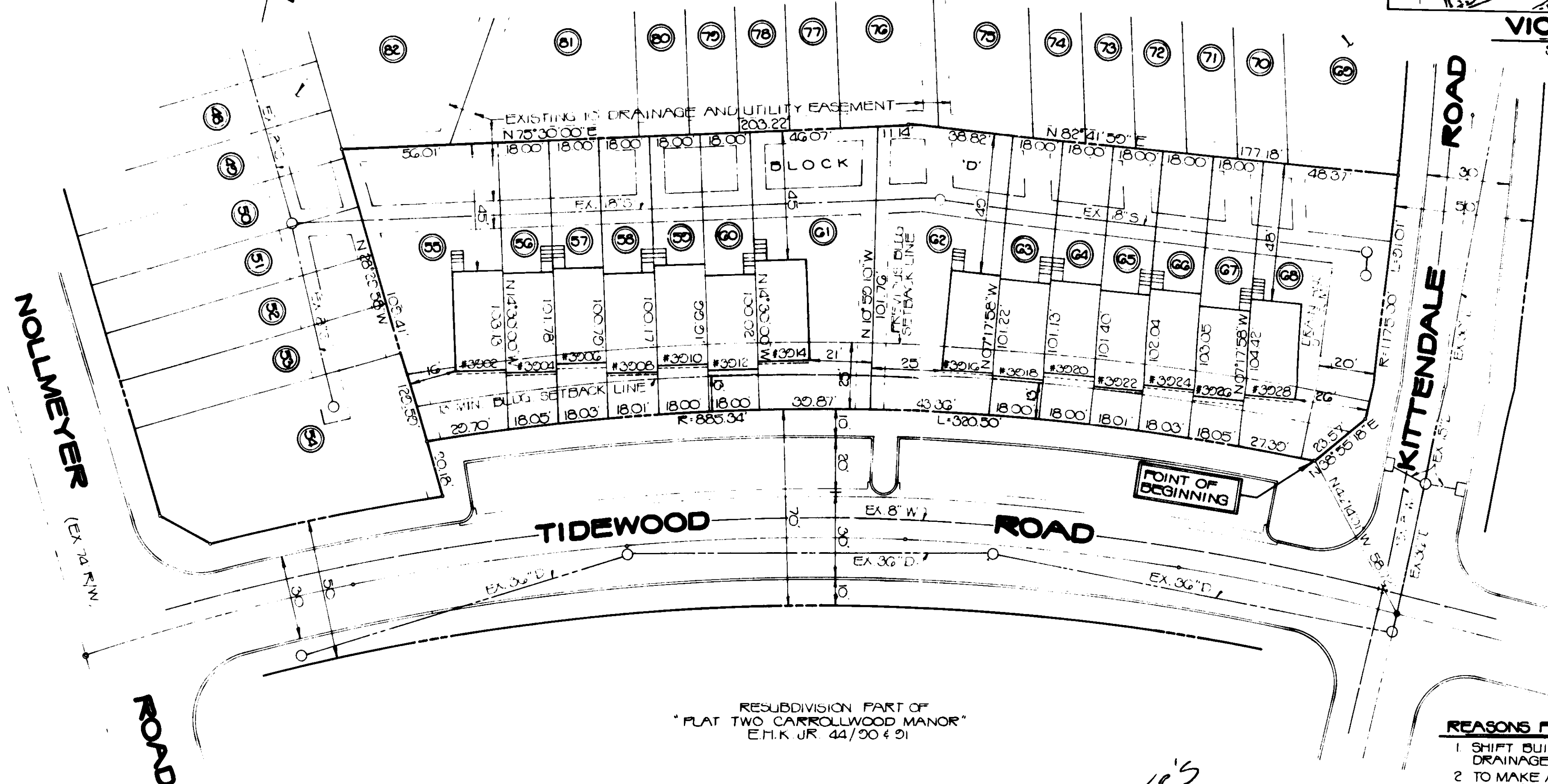
### NOTES

1. EXISTING ZONING: DR-1G
2. AREA: 34,802 SQ. FT. OR 0.8010 ACRES

2ND AMENDED  
RESUBDIVISION OF BLOCK D LOTS 1-12 & 35-34 BLOCK E LOTS 1-23  
AS ON PLAT ONE  
"CARROLLWOOD MANOR"  
S.M. 56/10



VICINITY MAP  
SCALE: 1" = 1000'



RESUBDIVISION PART OF  
"PLAT TWO, CARROLLWOOD MANOR"  
E.H.K. JR. 44/90 & 91

### REASONS FOR SUPPLEMENTAL SHEET

1. SHIFT BUILDING AWAY FROM EXISTING 10 DRAINAGE AND UTILITY EASEMENT
2. TO MAKE A 15 MINIMUM BUILDING SETBACK LINE ON LOTS 55 THRU 68
3. LOTS HAVE BEEN SOLD WITHIN 300'

MICROFILMED

PETITIONER'S  
EXHIBIT 1

### OWNER/DEVELOPER

WASHINGTON HOMES, INC.  
CORPORATE OFFICE  
6TH FLOOR  
1802 BRIGHTSEAT ROAD  
LANDOVER, MD 20785-4835

### W. DUVALL & ASSOCIATES, INC.

ENGINEERS, SURVEYORS, LAND PLANNERS  
530 EAST JOPPA ROAD  
TOWSON, MARYLAND 21204  
(301) 583-9571

SUPPLEMENTAL SHEET  
7TH AMENDED FINAL DEVELOPMENT PLAN  
CARROLLWOOD MANOR-SECTION TWO"  
BLOCK "D" LOTS 55-68

15TH ELECTION DISTRICT C-5  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1" = 30'  
JUNE 1, 1992

92-474-SPHA #504

JUN 1 1992

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME  
RICHARD TALIA  
DWAYNE LITTLE

ADDRESS  
9125 Joppa Rd - Columbia Md  
W. Duvall Assoc.  
530 E. Joppa Rd. Towson 21204 583-9571

MICROFILMED



BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 PHOTOGRAPHIC MAP

SCALE  
 1" = 200' ±  
 LOCATION  
 BOWLEYS  
 QUARTERS  
 DATE  
 OF  
 PHOTOGRAPHY  
 JANUARY  
 1986  
 SHEET  
 MICROFILMED  
 N E  
 3 - K  
 #504

92-474-SPHA



COUNTY  
 OFFICE OF PLANNING AND ZONING  
 ZONING MAP  
 SCALE  
 1" = 200' ±  
 LOCATION  
 BOWLEYS  
 QUARTERS  
 DATE  
 OF  
 PHOTOGRAPHY  
 JANUARY  
 1986  
 SHEET  
 MICROFILMED  
 N E  
 3 - K  
 #504

92-474SPH  
 #504



IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - N/S Tidewood Road, 59' NW of the c/l of Kittendale Road (Carrollwood Manor, Section 2) 15th Election District 5th Councilmanic District Washington Homes, Inc. Petitioner

\* BEFORE THE \* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY \* Case No. 92-474-SPHA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance filed by the Legal Owner of the subject property, Washington Homes, Inc., by and through its attorney, Richard B. Talkin, Esquire, in which the Petitioner requests approval of a seventh amendment to the Final Development Plan for Lots 55 through 68 of Carrollwood Manor, Section 2, and a variance from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way of 13 feet in lieu of the required 25 feet, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Richard B. Talkin, Esquire, and Dwight Little, Registered Professional Engineer with W. Duvall & Associates, Inc. There were no Protestants.

Testimony indicated that the subject property consists of 0.8010 acres, more or less, zoned D.R. 16 and is part of Carrollwood Manor, Section 2, which is proposed for development with single family townhouse dwelling units. Dwight Little testified that the Petitioner filed the instant Petitions as a result of a 10-foot drainage and utility easement located to the rear of the subject property which has caused the proposed

MICROFILMED

wellings to be closer to the street. Testimony indicated that the proposed amendment received Planning Board approval and that the relief requested will be in compliance with the new C.M.D.P. regulations. Further testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare to the surrounding community.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

MICROFILMED

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of July, 1992 that the Petition for Special Hearing requesting approval of a seventh amendment to the Final Development Plan for Lots 55 through 68 of Carrollwood Manor, Section 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.a of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a window to street right-of-way of 13

feet in lieu of the required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 7/27/92  
By [Signature]

MICROFILMED

ORDER RECEIVED FOR FILING  
Date 7/27/92  
By [Signature]

- 2 -

- 3 -

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 7/27/92  
Posted for: Special Hearing & Variance  
Petitioner: Washington Homes, Inc.  
Location of property: N/S Tidewood Rd., 59' NW of Kittendale Rd., Carrollwood Manor, Section 2, 15th Election District, Baltimore County, Maryland  
Location of Sign: East of Kittendale Rd. at intersection of Tidewood Rd.  
Remarks: New development being built.  
Posted by: [Signature] Date of return: 7/27/92  
Number of Signs: 2

MICROFILMED

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



(410) 887-4386

July 27, 1992

Richard B. Talkin, Esquire  
9175 Guilford Road, Suite 301  
Columbia, Maryland 21046

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE  
N/S Tidewood Road, 59' NW of the c/l of Kittendale Road  
(Carrollwood Manor, Section 2)  
15th Election District - 5th Councilmanic District  
Washington Homes, Inc. - Petitioner  
Case No. 92-474-SPHA

Dear Mr. Talkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Dwight Little

W. Duvall & Associates, 530 E. Joppa Rd., Towson, Md. 21286

People's Counsel

File

MICROFILMED

#### Petition for Variance #504

to the Zoning Commissioner of Baltimore County 92-474-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 504 (B.C.Z.R.) & V.B.6.a (C.M.D.P.) to permit a 13' window to street R.O.W. in lieu of 25' and

At the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To Be Discussed at Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Engineers:

W. Duvall & Associates, Inc.

(Type or Print Name)

[Signature]

530 East Joppa Road

Towson, Maryland 21204

City and State

Attorney for Petitioner:

Richard B. Talkin, P.A.

(Type or Print Name)

[Signature]

Suite 301 - 9175 Guilford Road

Columbia, Maryland 21046

City and State

Attorney's Telephone No.: 206-3004

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Legal Owner(s):

Robert A. Vestman, Senior Vice President

(Type or Print Name)

[Signature]

(Type or Print Name)

Signature

Washington Homes, Inc.

Suite 201

9175 Guilford Road 880-6294

Columbia, Maryland 21046

City and State

Name, address and phone number of legal owner, owner's partner or representative to be contacted

Robert A. Vestman, Senior Vice President

9175 Guilford Road, Suite 201

Columbia, Maryland 21046

City and State

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR. (410)

AVAILABLE FOR HEARING MON.-THURS. 9:00A.M. - NEXT TWO MONTHS

ALL OTHERS

REVIEWED BY: [Signature] DATE: 6/2/92

MICROFILMED

#### W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

May 22, 1992

92-474-SPHA

Description for Zoning Variance

for a portion of  
Carrollwood Manor Section Two  
15th Election District, Baltimore County, Maryland

BEGINNING for the same at a point being North 46 degrees 14 minutes 01 seconds West 58.72 feet from the centerline intersection of Tidewood Road 80 feet Right of way and Kittendale Road 50 feet Right of Way; thence running the following 6 courses and distances.

- 1) by a curve to the left having a Radius of 885.34 feet and a length of 320.50 feet subtended by a chord bearing of South 79 degrees 03 minutes 14 seconds West 318.76 feet; thence
- 2) North 28 degrees 29 minutes 58 seconds West 109.41 feet; thence
- 3) North 75 degrees 30 minutes 00 seconds East 203.22 feet; thence
- 4) North 82 degrees 41 minutes 59 seconds East 177.18 feet; thence
- 5) by a curve to the right having a Radius of 1175.00 feet and a length of 91.01 feet subtended by a chord bearing of South 04 degrees 43 minutes 09 seconds East 90.99 feet; thence
- 6) South 38 degrees 55 minutes 18 seconds West 23.57 feet to the point of beginning.

CONTAINING 0.8010 acres of land, more or less



MICROFILMED

#504

530 East Joppa Road/Towson, Maryland 21204/(410) 583-9571

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 18, 1992

THIS IS TO CERTIFY, that the aforesaid advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 18, 1992

THE JEFFERSONIAN,

S. Zafe Orlem  
Publisher

MICROFILMED

receipt  
Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Account: R-001-6150  
Number  
92-474-S-047  
MICROFILMED  
0460480102N1CHRC \$650.00  
PA C009146AM04-02-92  
Please Make Checks Payable To: Baltimore County  
Cashier Validation

receipt  
Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Date  
92-474  
MICROFILMED  
Please Make Checks Payable To: Baltimore County  
BA C01046AM07-24-92 \$98.16  
Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
DATE: 6/29/92  
Washington Homes, Inc.  
9175 Guilford Road, #201  
Columbia, Maryland 21046  
RE: CASE NUMBER: 92-474-S-047 (Item 504)  
N/S Tidewood Road, 59' W of c/l Kittendale Road  
Carrollwood Manor, Section Two  
15th Election District - 5th Councilmanic  
Petitioner(s): Washington Homes, Inc.  
HEARING: MONDAY, JULY 20, 1992 at 11:00 a.m. in Rm. 118, Courthouse.  
Dear Petitioner(s):  
Please be advised that \$78.16 is due for advertising and posting of the above captioned property and hearing date.  
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.  
Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.  
Arnold Jablon  
DIRECTOR  
cc: Richard B. Talkin, P.A.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
JUNE 12, 1992  
NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
CASE NUMBER: 92-474-S-047 (Item 504)  
N/S Tidewood Road, 59' W of c/l Kittendale Road  
Carrollwood Manor, Section Two  
15th Election District - 5th Councilmanic  
Petitioner(s): Washington Homes, Inc.  
HEARING: MONDAY, JULY 20, 1992 at 11:00 a.m. in Rm. 118, Courthouse.  
Special Hearing to approve the seventh amended Final Development Plan for lots 55 through 68 of Carrollwood Manor, Section 2.  
Variance to permit a 13 foot window to street right-of-way in lieu of 75 ft.  
Lawrence E. Schmidt  
Zoning Commissioner of  
Baltimore County  
cc: Washington Homes, Inc.  
W. Duvall & Associates  
Richard B. Talkin, P.A.  
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204 July 6, 1992 (410) 887-3353  
Richard B. Talkin, Esquire  
Suite 301, 9175 Guilford Road  
Columbia, MD 21046  
RE: Item No. 504, Case No. 92-474-S-047  
Petitioner: Washington Homes, et al  
Petition for Variance and Special Hearing  
Dear Mr. Talkin:  
The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.  
Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.  
The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.  
1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
Your petition has been received and accepted for filing this 2nd day of June, 1992  
Arnold Jablon  
DIRECTOR  
Received By:  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee  
Petitioner: Washington Homes, Inc., et al  
Petitioner's Attorney: Richard B. Talkin  
MICROFILMED

6/22/92 6777-92  
TO DR  
Development Review Committee Response Form  
Authorized signature: Dennis A. Kennedy Date: 6/22/92  
Project Name: Stonegate at Patapsco (Aerial Property) File Number: 90476 Waiver Number: EON DED Zoning Issue: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92  
COUNT 1  
✓ Washington Homes, Inc. 6-15-92 NC  
DED DEPRM RP STP TE  
✓ Aurelia Loveman For Joseph H. Loveman 505 NC  
DED DEPRM RP STP TE  
Timothy W. And Carol Anne M. Frost 506 Comment  
DED DEPRM RP STP TE  
James B. And Brenda G. Thomas 507 Comment  
DED DEPRM RP STP TE  
James E. Bishop, Sr. 508 NC  
DED DEPRM RP STP TE  
Victor E. And Sandra J. Fiorenza 509 Comment  
DED DEPRM RP STP TE  
Lena Guise 510 NC  
DED DEPRM RP STP TE  
COUNT 7  
FINAL TOTALS  
COUNT 8  
\*\*\* END OF REPORT \*\*\*  
MICROFILMED

BALTIMORE COUNTY, MARYLAND  
OFFICE OF PLANNING AND ZONING  
New Courts Building  
401 Bosley Avenue  
Towson, MD 21204  
MEMORANDUM  
TO: Arnold Jablon, Director - Zoning Administration & Development Management  
FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning  
DATE: June 17, 1992  
SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 15, 1992  
The Office of Planning and Zoning has no comments on the following petitions:  
Robert A. Yeatsman - Item 504  
Joseph & Aurelia Loveman - Item 505  
Timothy & Carol Ann Frost - Item 506  
James & Brenda Thomas - Item 507  
Victor & Sandra Fiorenza - Item 509  
If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.  
RECEIVED  
JUN 23 1992  
ZONING OFFICE  
6-15-92.txt  
Petition.txt  
MICROFILMED

Development Review Committee Response Form  
Authorized signature: Rakhee J. Family Date: 6/22/92  
Project Name: Stonegate at Patapsco (Aerial Property) File Number: 90476 Waiver Number: EON DED Zoning Issue: TE (Waiting for developer to submit plans first) Meeting Date: 6-1-92  
COUNT 1  
✓ Washington Homes, Inc. N/C ✓ 6-15-92  
DED DEPRM RP STP TE  
✓ Aurelia Loveman For Joseph H. Loveman 505 N/C ✓  
DED DEPRM RP STP TE  
✓ Timothy W. And Carol Anne M. Frost 506 N/C ✓  
DED DEPRM RP STP TE  
✓ James B. And Brenda G. Thomas 507 N/C ✓  
DED DEPRM RP STP TE  
✓ James E. Bishop, Sr. 508 N/C ✓  
DED DEPRM RP STP TE  
✓ Victor E. And Sandra J. Fiorenza 509 N/C ✓  
DED DEPRM RP STP TE  
✓ Lena Guise 510 N/C ✓  
DED DEPRM RP STP TE  
COUNT 7  
Howard W. Dawson, Sr. 503 N/C 6-15-92  
TE  
COUNT 1  
FINAL TOTALS  
COUNT 9



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(410) 887-4500

JUNE 12, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: WASHINGTON HOMES, INC.

Location: CARROLLWOOD MANOR, SECTION TWO

Item No.: 504 (MJK) Zoning Agenda: JUNE 15, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

\* HYDRANT SPACING SHALL BE AT 750' INTERVALS.

REVIEWER: Not Jerry Pifer Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/REK

RECEIVED  
JUN 15 1992

ZONING OFFICE

MICROFILMED

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature

W. D. P. K. Date 6/23/92

Project Name: Washington Homes, Inc.  
File Number: 504  
Waiver Number: 504  
Zoning Issue: 504  
Meeting Date: 6-15-92

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

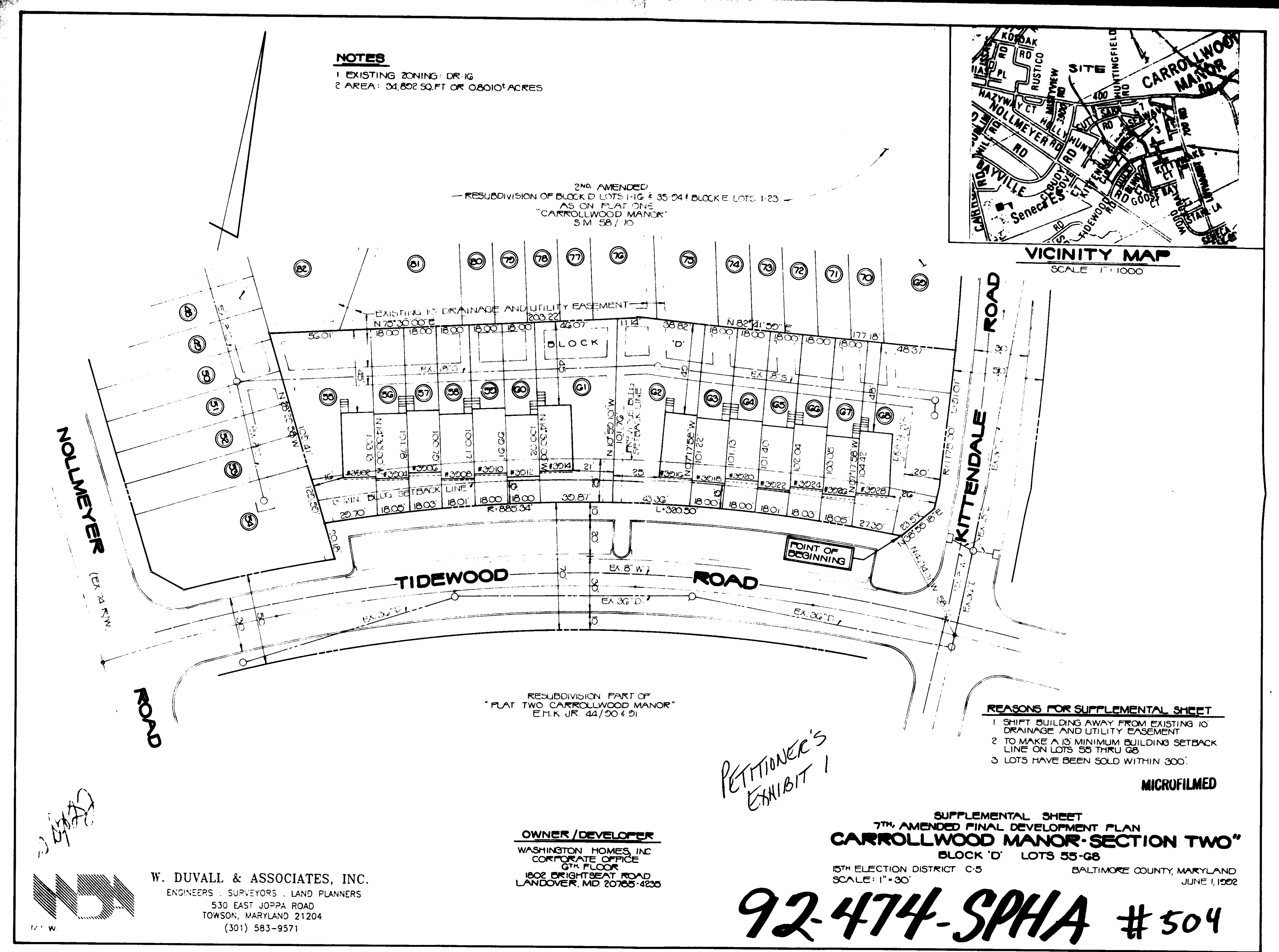
DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓

DED DEPRM RP STP TE: No Comments ✓



NOTES

- 1 EXISTING ZONING: DR-1G
- 2 AREA: 34,802 SQ. FT. OR 0.8010 ACRES

2ND AMENDED  
RESUBDIVISION OF BLOCK D LOTS 1-12 & 35-34 BLOCK E LOTS 1-23  
AS ON PLAT ONE  
"CARROLLWOOD MANOR"  
S.M. 56/10

EXISTING 10' DRAINAGE AND UTILITY EASEMENT  
N 70° 30' 00" E 100.00'

RESUBDIVISION PART OF  
"PLAT TWO CARROLLWOOD MANOR"  
E.H.K. JR. 44/90 & 91

REASONS FOR SUPPLEMENTAL SHEET

- 1. SHIFT BUILDING AWAY FROM EXISTING 10' DRAINAGE AND UTILITY EASEMENT
- 2. TO MAKE A 10' MINIMUM BUILDING SETBACK LINE ON LOTS 55 THRU 68
- 3. LOTS HAVE BEEN SOLD WITHIN 300'

MICROFILMED

PETITIONER'S  
EXHIBIT 1

OWNER / DEVELOPER

WASHINGTON HOMES, INC.  
CORPORATE OFFICE  
6TH FLOOR  
1802 BRIGHTSEAT ROAD  
LANDOVER, MD 20785-4835

W. DUVALL & ASSOCIATES, INC.

ENGINEERS, SURVEYORS, LAND PLANNERS  
530 EAST JOPPA ROAD  
TOWSON, MARYLAND 21204  
(301) 583-9571

SUPPLEMENTAL SHEET  
7TH AMENDED FINAL DEVELOPMENT PLAN  
CARROLLWOOD MANOR - SECTION TWO  
BLOCK 'D' LOTS 55-68

15TH ELECTION DISTRICT C-5  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1" = 30'  
JUNE 1, 1992

92-474-SPHA #504

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME  
RICHARD TALKIN  
DWAYNE LITTLE

ADDRESS  
9125 GOLFVIEW RD - Columbia, MD  
W. Duvall & Assoc.  
530 E. Joppa Rd. Towson 21204 583-9571

MICROFILMED



BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 PHOTOGRAPHIC MAP

SCALE  
 1" = 200' ±  
 LOCATION  
 BOWLEYS  
 QUARTERS  
 DATE  
 OF  
 PHOTOGRAPHY  
 JANUARY  
 1986  
 SHEET  
 MICROFILMED  
 N E  
 3-K  
 #504

92-474-SPHA



COUNTY  
 OFFICE OF PLANNING AND ZONING  
 ZONING MAP

SCALE  
 1" = 200' ±  
 LOCATION  
 BOWLEYS  
 QUARTERS  
 DATE  
 OF  
 PHOTOGRAPHY  
 JANUARY  
 1986  
 SHEET  
 MICROFILMED  
 N E  
 3-K  
 #504

92-474-SPH  
 #504